

## **DETAILED ACTION**

### ***Reasons For Allowance***

1. The following is an examiner's statement of reasons for allowance:

The claims requiring a ordering of prescription delivery that is determined by a computer controlled pick up time. The time is initially set by the user. There-after the computer determines the actual timing based upon other items within the delivery queue, the availability of the prescription and the prescription authorization.

The closest Non-Patent Literature is The Efficient, "Improving Efficiencies and Reducing Medical Errors." Although the Efficient discusses problems with pharmacy drug distribution, the Efficient does not discuss specific ways of altering pharmacy queuing to improve distribution.

Edelson et al, U.S. Patent 5,737,539 discusses an electronic prescription creation system for use by professional prescribers at the point of care has a prescription division subsystem permitting creation of a single prescription to be automatically divided into two components for fulfillment of one portion quickly and locally at higher cost and of another portion by remote mail order taking more time but providing a cost saving for a major part of the prescription. Edelson does not discuss ways of changing a local queue to improve that efficiency.

Shalmi et al., U.S. Pre-Grant Publication 2002/0188469 discusses a pharmaceutical distribution and sales method and system by which a manufacturer of a drug contracts with a customer to supply a certain quantity of the drug based on potential patient use, stocks the customer with the contractual quantity of drug, and charges the customer a predetermined cost, regardless of the

quantity of drug that may actually be needed or used. Shalmi does not discuss the way a drug is distributed at a pharmacy including the adjustment of queues.

Saeger et al., U.S. Pre-Grant Publication 2005/0021367, discusses a system automatically updates a patient medication administration schedule in response to a healthcare worker entering data into an information system identifying a time at which a medication was administered to the patient. Saeger does not discuss the altering of queues to improve pharmacy prescription delivery.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEAL R. SEREBOFF whose telephone number is (571) 270-1373. The examiner can normally be reached on Mon thru Thur from 7:30am to 5pm, with 1st Fri off.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/N. R. S./  
Examiner, Art Unit 3626  
1/28/2010

/Gerald J. O'Connor/  
Supervisory Patent Examiner  
Group Art Unit 3686